

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

JUAN DIAZ,

JEFFREY WELCH, GLEN BISHIP,  
MITCHELL WITSINSKI, ROBERT  
CULBERTSON and other employees  
similarly situated,

Plaintiffs,

v.

CITY OF SAN JOSE,

Defendant.

NO: C 07-06424 JW

NO: C 08-02132 JW


**ORDER TO SHOW CAUSE RE:  
SETTLEMENT AND STIPULATED  
DISMISSALS**

On May 18, 2010 and May 21, 2010, the Court approved the parties' Stipulations re: Settlement of FLSA Claim, respectively in the above entitled cases. (Docket Item Nos. 57 in C 07-6424 and 47 in C 08-2132.) The parties represented that upon approval of the Settlement by the San Jose City Counsel, the parties will file the appropriate Stipulated Dismissals. To date, nearly two and a half months later, the parties have failed to neither file the Stipulated Dismissals to bring these cases to a close or update the Court on the status of the City Counsel's approval.

Accordingly, the Court sets **September 20, 2010 at 9 a.m.** as a hearing on an Order to Show Cause re: Settlement and Stipulated Dismissals for both cases. On or before **September 10, 2010**, the parties shall file either Stipulated Dismissals or Status Reports to update the Court on the City Counsel's approval of the Settlement.

Failure to adhere to this Order may subject both parties to appropriate sanctions.

Dated: August 9, 2010

  
JAMES WARE  
United States District Judge